

**DEPARTMENT OF HEALTH SERVICES**

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April 17, 2000

The Honorable Byron Sher, Chair  
Senate Environmental Quality Committee  
State Capitol, Room 2082  
Sacramento, CA 95814

Dear Senator Sher:

**SUPPORT OF SENATE BILL (SB) 2203 (INTRODUCED VERSION)**

The Department of Health Services (Department) is pleased to sponsor SB 2203, which would align the structure of California's Environmental Laboratory Accreditation Program (ELAP) with the National Environmental Laboratory Accreditation Program (NELAP) in which California participates. The bill also modifies the ELAP fee structure to reflect the complexity/work effort associated with each laboratory specialty area. In addition, SB 2203 removes redundancies and clarifies the intent of existing statutes.

The Department certifies private and public laboratories that analyze food, drinking water, waste water, and hazardous wastes for regulatory compliance through the ELAP. ELAP certification allows laboratories to do business only in California. The Department also accredits laboratories according to national standards under the NELAP. NELAP accreditation allows laboratories to do business in all NELAP-participating states nationwide. The two programs run in parallel, with each laboratory choosing whether to seek ELAP certification or NELAP accreditation.

The structure of the ELAP has remained the same since the program was implemented in 1989, while testing technologies and methodologies have become increasingly complex. Neither the "fields of testing" (i.e. the types of testing for which each lab is certified) nor the certification fees have been adjusted to account for these changes. In 1999 the Department became the NELAP accrediting authority for California. The fields of testing within the NELAP do reflect modern testing technologies and methodologies. The Department operates these programs in parallel and will continue to do so, but could do so much more efficiently if both programs employ comparable fields of testing. Further, the current ELAP fee structure charges all labs the same flat fee for certification. With the proposed revisions in the ELAP fee structure, each lab would be charged certification fees based on the number and complexity of the tests that lab performs.

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If you have any questions regarding the Department's position on SB 2203, please contact me at (916) 657-2843.

Sincerely,

**ORIGINAL SIGNED BY**

Charleen M. Milburn  
Deputy Director  
Legislative and Governmental Affairs